

COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION

AT RICHMOND, AUGUST 15, 2019

SCC-CLERK'S OFFICE  
DOCUMENT CONTROL CENTER  
2019 AUG 15 1P 2:21

APPLICATION OF

DRIFT MARKETPLACE, INC.

CASE NO. PUR-2019-00123

For a license to do business as a competitive  
service provider of electric supply service  
pursuant to § 56-587 of the Code of Virginia

ORDER FOR NOTICE AND COMMENT

On August 13, 2019, Drift Marketplace, Inc. ("Drift" or "Company"), completed an Application with the State Corporation Commission ("Commission") for a license to conduct business as a competitive service provider of electric supply service in the Commonwealth of Virginia pursuant to § 56-587 of the Code of Virginia ("Code").<sup>1</sup> Drift seeks authority to serve eligible commercial and industrial customers in the service territories of Appalachian Power Company, Virginia Electric and Power Company, and Central Virginia Electric Cooperative.<sup>2</sup>

NOW THE COMMISSION, upon consideration of the Application, is of the opinion and finds that the Application should be docketed; Drift should serve this Order upon appropriate persons; the Staff of the Commission ("Staff") should conduct an investigation of the Application and present its findings in a report ("Staff Report"); and interested persons should have an opportunity to comment on the Application. We further find that a Hearing Examiner

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<sup>1</sup> On July 30, 2019, in conjunction with the filing of its Application, the Company filed a Motion for Protective Order.

<sup>2</sup> Pursuant to § 56-577 of the Code, retail choice for electricity is only permitted pursuant to the customer classes, load parameters, and renewable energy sources set forth therein, and exists only in the service territories of Virginia Electric and Power Company, Appalachian Power Company, and the electric cooperatives.

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should be appointed to rule on all discovery matters that arise during the course of this proceeding.

Accordingly, IT IS ORDERED THAT:

(1) This matter is docketed and assigned Case No. PUR-2019-00123.

(2) As provided by Code § 12.1-31 and 5 VAC 5-20-120, *Procedure before hearing examiners*, of the Commission's Rules of Practice and Procedure ("Rules of Practice"),<sup>3</sup> a Hearing Examiner is appointed to rule on any discovery issues that may arise during the course of this proceeding.

(3) A copy of the Application and supporting documents shall be made available for public inspection in the Commission's Document Control Center, located on the first floor of the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, between the hours of 8:15 a.m. and 5 p.m., Monday through Friday, excluding holidays. A copy of the Application also may be downloaded from the Commission's website: <http://www.scc.virginia.gov/case>.

(4) On or before August 23, 2019, Drift shall serve a copy of this Order upon the utilities listed on Attachment A to this Order.

(5) On or before August 30, 2019, the Company shall file proof of service as ordered herein with Joel H. Peck, Clerk, State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118.

(6) Any interested person may request a public copy of the Application, accompanying materials, and this Order by directing a request in writing to: Lena Golze Desmond, Esquire, 408 Broadway, 2nd Floor, New York, New York 10013. The Company shall, within three (3)

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<sup>3</sup> 5 VAC 5-20-10 *et seq.*

days of receipt of such request, serve the requested documents upon the person making such request.

(7) Written comments on the Application may be filed on or before September 6, 2019, by either of the following methods. An original and fifteen (15) copies of any comments may be filed with the Clerk of the Commission at the address set forth in Ordering Paragraph (5). In the alternative, comments may be submitted electronically by following the instructions available at the Commission's website: <http://www.scc.virginia.gov/case>. A hard copy of such comments, whether submitted in writing or electronically, shall be served upon the Company at the address set forth in Ordering Paragraph (6). All comments shall refer to Case No. PUR-2019-00123.

(8) The Staff shall analyze Drift's Application and shall present its findings in a Staff Report to be filed on or before September 10, 2019.

(9) On or before September 17, 2019, the Company and any party who filed comments on the Application may file with the Clerk of the Commission an original and fifteen (15) copies of any response to the Staff Report.

(10) All documents filed with the Office of the Clerk of the Commission in this docket may use both sides of the paper. In all other respects, all filings shall comply fully with the requirements of 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice.

(11) The Commission's Rule of Practice 5 VAC 5-20-260, *Interrogatories or requests for production of documents and things*, shall be modified for this proceeding as follows: responses and objections to written interrogatories and requests for production of documents shall be served within five (5) calendar days after receipt of the same. Interrogatories or requests for production, as well as the responses thereto, shall be transmitted electronically, or by

facsimile, as well as by first class mail. Except as modified above, discovery shall be in accordance with Part IV of the Commission's Rules of Practice, 5 VAC 5-20-240 *et seq.*

(12) This matter is continued.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to:

Cody T. Murphey, Esquire, Eckert Seamans Cherin & Mellott, LLC, 919 E. Main Street, Suite 1300, Richmond, Virginia 23219; Lena Golze Desmond, Esquire, 408 Broadway, 2nd Floor, New York, New York 10013; C. Meade Browder, Jr., Senior Assistant Attorney General, Division of Consumer Counsel, Office of the Attorney General, 202 N. 9th Street, 8th Floor, Richmond, Virginia 23219-3424; Craig G. Goodman, President, National Energy Marketers Association, 895 Roberta Lane, Suite 103, Sparks, Nevada 89431; and Irene Leech, Virginia Citizens Consumer Council, 4220 North Fork Road, Elliston, Virginia 24087. A copy also shall be delivered to the Commission's Office of General Counsel and Divisions of Utility Accounting and Finance and Public Utility Regulation.

ATTACHMENT A

Appalachian Power Company  
Mr. William A. Castle  
Director Regulatory Services  
3 James Center  
1051 East Cary Street, Suite 702  
Richmond, Virginia 23219

Dominion Energy Services, Inc.  
Lisa S. Booth, Esquire  
P. O. Box 26532  
Richmond, Virginia 23261

Central Virginia Electric Cooperative  
Mr. Gary E. Wood  
President & CEO  
P.O. Box 247  
Lovingston, Virginia 22949

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